



Foreign Agricultural Service

**GAIN Report**

Global Agriculture Information Network

Required Report - public distribution

Date: 8/2/2000

GAIN Report #UK0029

## **United Kingdom**

# **Food and Agricultural Import Regulations and Standard**

## **Country Report**

**2000**

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### **Report Highlights:**

**This report outlines the requirements for food and agricultural imports into the UK, as a member of the European Union. The report aims to assist U.S. exporters with labeling, lists of permitted ingredients, packaging law and import requirements such as health certificates, licenses and duty. It also provides points of contact for further information within UK government bodies which oversee food standards and/or have an involvement in the importing process.**

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All Section(s) Last Updated: - July 2000

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**DISCLAIMER:** This report has been prepared by the USDA/Foreign Agricultural Service in London, United Kingdom for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

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Includes PSD changes: No  
Includes Trade Matrix: No  
Annual Report  
London [UK1], UK

## **SECTION I      FOOD LAWS**

The UK, as a member of the European Union (EU), conforms to all EU Directives, Regulations and obligations. We therefore recommend that this report is read in conjunction with the Food and Agricultural Import Regulations and Standards (FAIRS) report produced by the U.S. Mission to the EU in Brussels, Belgium - Report Number: E29117. (Available at <http://www.fas.usda.gov/itp/ofsts/fairs-country.html>)

The vast majority of food laws of the EU member countries have already been fully harmonized into EU law. Where EU regulatory harmonization is not yet complete, imported product must meet existing UK requirements. Areas which are yet to be harmonized include materials in contact with food and foods for particular nutritional uses.

Based on the EU single market principle, all food products legally imported and distributed in one member country of the EU can also be distributed in all other member countries, except in those cases when a country can prove health concerns about the product intended for import.

The marketing and sale of foodstuffs in the United Kingdom (UK) is governed by the Food Safety Act 1990. The Act makes it an offence for anyone to sell, or possess for sale, food which:

- C      has been rendered injurious to health
- C      is unfit or so contaminated that it would be unreasonable to expect it to be eaten
- C      is falsely described, advertised or presented
- C      is not of the nature, substance or quality demanded

The Act addresses inspection, detention and seizure of suspect food, food hygiene inspections and, more relevant for UK domestic production, powers to make prohibition notices to stop a UK factory production. Imported foods can be inspected for safety at any point in the distribution chain, port of entry (by Port Health officials), retail, foodservice or wholesale level (by Trading Standards Officers).

The Act also makes for the defense of "due diligence". In practice, this means that a UK importer, faced with a legal action involving a U.S. product which contravenes the requirements listed above, must show that they took "all reasonable precautions" and exercised all "due diligence" to avoid committing an offence. This, in effect, makes traceability of the product supply chain and its ingredients very important.

The UK enforcement system is based on the "Home Authority Principle". For every UK business (including importers) there is one local authority office that they can call on for advice, guidance and information on consumer protection, trading standards, food safety and composition and regulatory best practice. There are over 70 such regional trading standards offices located throughout the UK. These are all under the umbrella of LACOTS - Local Authorities Coordinating Body on Food and Trading Standards ([www.lacots.org.uk](http://www.lacots.org.uk)).

UK importers are advised to liaise with their local trading standards office when introducing U.S. products to the market. The "Home Authority Principle" aims to provide advice and support to UK businesses to "get it right first time". This local government provision is particularly useful in seeking to resolve composition and labeling issues on U.S. food products.

Apart from the general provisions of the Food Safety Act, the specific Regulations applying to imported food will depend on whether the food is of animal origin or not:

- C food that has no animal content e.g. fruit, vegetables, cereals, certain bakery products, herbs, spices, mineral water, fruit juices etc. is covered by The Imported Food Regulations 1997 (IFRs)
- C food containing animal products e.g. meat, meat pies, salami, pizzas with meat topping, poultry, fish, eggs, milk, dairy products, etc. is covered by the following legislation:
  - C The Products of Animal Origin (Import and Export) Regulations 1996 (POAO Regs)
  - C The Fresh Meat (Import Conditions) Regulations 1996 (ICRs) (fresh red meat only)
  - C The Imported Food Regulations 1984
  - C The Importation of Animal Products and Poultry Products Order 1980 (IAPPPPO)
  - C The Specified Risk Material Order 1997

The impact of these regulations means that imports of red meat, bovine embryos and semen, farm and wild game meat, meat products, milk and milk products and porcine semen to the EU from the United States must only originate from EU approved U.S. establishments. Please refer to Section VI for more information on import regulations for general food products and food products of animal origin.

The UK government's agency which oversees all aspects of food safety and standards - from farm to fork - is the new UK Food Standards Agency (prior to April 1, 2000 the Ministry of Agriculture, Fisheries and Food - MAFF - handled food safety). The Food Standards Act 1999 provides for the Agency to be a UK body accountable to Parliament, the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly. The Agency sets and audits standards for the enforcement of food law by local authorities.

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A booklet entitled "Food Law" produced in December 1999 by the UK's Ministry of Agriculture, Fisheries & Food (MAFF) in conjunction with the Department of Health is available. This lists all UK food regulations known at that time in one handy document. It can be downloaded from the following website as a .pdf document: [www.foodstandards.gov.uk/maff/archive/food/foodsafet.htm](http://www.foodstandards.gov.uk/maff/archive/food/foodsafet.htm)

It is, however, intended only as a general guide, for definitive information it is recommended to obtain and consult the appropriate Act, Order or Regulation. All regulatory documents cited in this report are available from the UK government's Stationery Office. Fees vary depending on the size of the regulation, but are normally between \$3-10. Please refer to Appendix A for contact details for The Stationery Office.

## SECTION II. LABELING REQUIREMENTS

UK general labeling requirements are laid down in The Food Labelling Regulations 1996 (which consolidate and replace The Food Labelling Regulations 1984) and The Food Labelling (Amendment) Regulations 1998 (which introduce quantitative ingredient declarations (QUID) to be given on food labels for certain ingredients or categories of ingredients used in foods). Product specific labeling requirements also exist, these are covered in Section VII.

Although the United States and the United Kingdom share a common language and some common units of measure, U.S. food labels fail to comply with EU and hence U.K. labeling requirements. As mentioned earlier, all food products must comply with the general requirements of the Food Safety Act in that they must not contain any harmful substances or be described in such a way as to mislead the consumer. False claims and descriptions are forbidden under the Trade Description Act. Enforcement of the labeling laws are carried out by the Trading Standards Office of the Local Council to where the UK importer/agent/manufacture is based.

The following table shows a checklist which U.S. exporters should go through to ascertain where changes to U.S. labels may be necessary:

LANGUAGE	British English rather than American English must be used on all labeling (i.e. colour, not color). Multi-language labeling is allowed throughout the EU.
NAME OF THE FOOD	<p>This may be the name prescribed by law or a name customary in the area where the food is sold or a precise name to be distinguished from products with which it could be confused. The name may be a name and/or description. Trade names, brand names or fancy names are permitted but may not be substituted for the name of the food.</p> <p>The product name, the statement of quantity (weight, volume), and the indication of minimum durability (or a reference to it) must all appear in the same field of vision.</p>
FLAVORS	<p>The name of a food may only be used in a product description to indicate a specific flavor, e.g. "strawberry sauce" if the flavoring is wholly or mainly derived from that food. Otherwise the word "flavour" must follow the name of the food, e.g. "strawberry flavor sauce". The spelling must be "flavour". For chocolate flavor products the chocolate flavor may be derived from non-fat cocoa solids.</p> <p>An illustration representing the flavor of a food may only appear if the flavor is derived wholly or mainly from the food depicted.</p>

LIST OF INGREDIENTS	<p>This should be headed by the word “Ingredients” or for foods to be reconstituted “Ingredients of the reconstituted product” or “Ingredients of the ready to use product” etc., or for foods consisting entirely of mixed fruit, “Ingredients in variable proportion”.</p> <p>The ingredients should be listed in descending order of weight, as used at the time of preparation of the food, except water and volatile products should be listed in order of weight in the finished product. Ingredients used in concentrated or dehydrated form and which reconstitute during preparation of the food may be listed as if reconstituted.</p> <p>Constituents of compound ingredients may be listed with the name of the compound ingredient so that the association is clear. Constituents need to be listed if the compound ingredient may be listed by a generic term or if it constitutes more than 25% of the finished product, except the additives present in the compound ingredient must be listed if they have technological function in the finished product.</p> <p>Water must be listed in the correct position unless it is used solely for reconstitution or rehydration of an ingredient or it forms part of a medium not normally consumed, or added water does not exceed 5% of the finished product.</p> <p>Certain ingredients may be designated by the name of their category group rather than the specific name. These include fats, oils, starch, fish, cheese, spices, herbs, gum bases, crumbs, sugar, dextrose, glucose syrup, milk proteins, cocoa butter, crystallized fruit, vegetables and wine.</p>
GENETICALLY MODIFIED INGREDIENTS	<p>The UK’s Genetically Modified and Novel Foods (Labelling) Regulations 2000 which cover the labeling of GM soya and maize require all foods or food ingredients containing GM soya or maize to be clearly labeled to indicate that the product contains GM material; e.g. in the list of ingredients the words "produced from genetically modified [soya] [maize]" must appear next to (or linked to) the relevant ingredient. Ingredients obtained from GM crops but which do not themselves contain novel DNA or protein do not have to be labeled.</p> <p>Amendments to the above regulations, to account for EC Regulation 49/2000, extend the requirements to foods sold in the Hotel, Restaurant and Institutional (HRI) sector - these businesses can provide information verbally via staff, through their menu or other written medium. The amendments also set a <i>de minimis</i> threshold of 1% for the adventitious contamination of non-GM material. For such ingredients, there is no need to label them as GM if they contain less than 1% GM material. The threshold applies only to ingredients obtained from non-GM sources; this flexibility does not apply to supplies obtained from sources of unknown origin. Companies also need to demonstrate that their ingredients are of non-GM origin, and it is possible that the use of documented and audited identity preserved systems could satisfy this requirement.</p>

QUANTITATIVE INGREDIENTS DECLARATION (QUID)	<p>UK legislation is now in place which enforces the EU Directive on QUID. This means that if special emphasis is placed on the presence of an ingredient, the minimum or maximum amount as a % must be declared either next to the name of the food or near the name of the ingredient in the ingredients list. e.g. 15% strawberries on strawberry ice cream</p> <p>QUID does not apply to constituents naturally present in foods and which have not been added as ingredients e.g. caffeine (in coffee) and vitamins (in fruit juices). Other exemptions include when products state the drained net weight; where an ingredient is used for the purposes of flavoring; when the wording "with sweeteners" or "with sugar(s) and sweetener(s)" accompanies the name under which a foodstuff is sold; when the addition of vitamins and minerals is subject to nutrition labeling and when foodstuffs are concentrated or dehydrated.</p>
WEIGHTS & MEASURES	<p>Net quantities of prepackaged foodstuffs must be given in metric units, followed by the imperial equivalent if so desired, i.e. the metric must come first. (Please refer to Section III Packaging and Container Regulations for more information)</p>
SHELF LIFE DATE MARKS	<p>A statement of minimum durability is required. This must be stated by the words "best before....." followed by storage life as day, month, year and any special storage conditions should be indicated. Or it may be expressed, for foods with shelf life 3 months or less as "best before....." followed by day, month only; or for foods with shelf life 3 months or more as "best before end....." followed by month, year only.</p> <p>For foods to be consumed within 6 weeks the minimum durability can alternatively be stated by the words "sell by....." followed by day, month plus an indication of storage period from date of purchase plus any special storage conditions. The words "best before...." or "best before end....." or "sell by...." must be in the same field of vision as product name but the actual date may appear on a different part of the label provided this is indicated after the words "best before....." or "best before end....." or "sell by.....".</p> <p>In the case of highly perishable foodstuffs the date consisting of the day, the month and possible the year has to be preceded by the words "use by". The Food Standards Agency has published Guidance Notes on which foods should carry a "use by" date, available at <a href="http://www.foodstandards.gov.uk">www.foodstandards.gov.uk</a></p> <p>Minimum durability need not be stated on foods lasting more than 18 months or for deep-frozen (including quick-frozen) food, also certain specific foods are exempt.</p>
STORAGE CONDITIONS	<p>Any special storage conditions or conditions of use should be stated. Instructions for use should be given if necessary.</p>
CONTACT DETAILS	<p>Name and address of manufacturer or packer, or of a seller in the UK/EU must be stated.</p>



PLACE OF ORIGIN	Imported goods must be clearly marked with a distinct indication of the country of origin, failure to give such particulars might mislead a purchaser to a material degree as to the true origin of the food. The Food Standards Agency has published Guidance Notes on Place or Origin, available at <a href="http://www.foodstandards.gov.uk">www.foodstandards.gov.uk</a>
ARTISTIC LICENSE	Any illustrations used must not be misleading, e.g. showing a cow, when there is no dairy content. The use of wording "serving suggestion" is not illegal but should not be used if this misleads as to the nature of the product.
FOODSTUFFS FOR PARTICULAR NUTRITIONAL PURPOSES (PARNUT)	U.S. requirements do not apply in the UK. These are foods which are claimed suitable for particular nutritional uses for people whose digestion or metabolism is disturbed, or who because of their special physiological condition would benefit from controlled consumption of certain substances. This includes the descriptions "dietary" or "dietetic". All PARNUT foods must give nutritional information and be labeled with compositional aspects of manufacturing process which give the food its characteristics. If the food is specially prepared for that class of persons, the name of the food must be accompanied by an indication of the foods' particular characteristics.
NUTRITIONAL LABELING	<p>Nutritional labeling is compulsory where a nutritional claim appears on the label, in presentation or in advertising, with the exclusion of generic advertising. The only nutrition claims permitted shall be those relating to energy values and, to the following nutrients: protein, carbohydrate, fat, fiber, sodium and prescribed vitamins, and to substances which belong to or which are of the aforementioned nutrients. Unless products fit under this caveat or the UK importer, retailer or other end user has requested the inclusion of nutritional labeling it is advisable to omit any reference to nutritional labeling on your product.</p> <p>The main point of difference between U.S. and EU/UK nutritional labels is that the EU/UK requires nutrients to be shown per 100g or 100ml. The nutrient amounts may, in addition, be given per quantified serving or portion (if number of portions in pack is stated).</p> <p>U.S. Recommended Daily Allowances (RDA's) differ from UK RDA's, therefore figures and statements of percentage contribution of nutrients to the U.S. RDA could be held to be misleading information when sold in the UK.</p> <p>Health claims such as sodium and hypertension; fruits and vegetables and cancer; calcium and osteoporosis are not permitted.</p> <p>The UK's Food Standards Agency has issued Guidance Notes on Nutritional Labeling and Guidelines For The Use Of Certain Nutrition Claims in Food Labelling and Advertising available at <a href="http://www.foodstandards.gov.uk">www.foodstandards.gov.uk</a></p>



SWEETENERS	<p>For a food containing:</p> <ul style="list-style-type: none"> <li>a) a permitted sweetener, the name should be accompanied by "with sweetener"</li> <li>b) both added sugar(s) and sweetener(s), the name should be accompanied by "with sugar(s) and sweetener(s)"</li> <li>c) aspartame, the food should be marked "contains a source of phenylalanine"</li> <li>d) more than 10% added polyols, the food should be marked: "excessive consumption may produce laxative effects"</li> </ul>
ALCOHOLIC BEVERAGES	For any beverage containing more than 1.2% by volume of alcohol, the actual strength by volume must appear on the product label.
PACKAGING GASES	Foods packaged in certain gases: If the durability of a food has been extended by being packaged in a permitted packaging gas, it should be marked "packaged in a protective atmosphere."
PRODUCTS FOR FURTHER PROCESSING	Unlabeled ("bright stack") containers of food to be processed, labeled, or repacked in the UK are not subject to labeling legislation
BULK PACKED OR INSTITUTIONAL SIZE PRODUCTS	Institutional size products for the HRI sector or bulk packed retail products must conform to the standard labeling regulations. As regards lot marking (see below), the lot mark of a sales unit contained in bulk packaging, for example retail packs enclosed in a wholesale pack, should appear on the outer container in addition to those retail packs.
LOT MARKING	All packaged foodstuffs must bear a lot marking. In accordance with EU/UK legislation, the size of the lot shall be determined in each case by the producer, manufacturer or packager of the foodstuff in question, or of the first seller established within the European Community. The marking shall be preceded by the letter "L" except in cases where it is clearly distinguishable from other indications on the label. A date mark as set out in the UK's Food Labelling Regulations 1996 i.e. the figures associated with a "best before", "best before end" or "use by" which appears on a product may be used as a lot mark.
STICK-ON LABELS	Stick-on labels meeting UK labeling requirements may be used on a temporary basis. They can be applied prior to export or applied in the UK before retail sale.
BAR CODES	<p>Although the U.S. uses Universal Product Codes (UPC) with 13 digits while the UK has an Electronic Article Number (EAN) system with 12 digits, U.S. bar codes will work perfectly in the UK. The EAN system was designed around the U.S. UPC system.</p> <p>Outer cases must carry traded unit codes (enlarged bar codes) for electronic monitoring of stock movement</p>

### SECTION III. PACKAGING AND CONTAINER REGULATIONS

Orders made under Section 22 of the UK's Weights and Measures Act 1985 require most pre-packed food to carry on the container an indication of the net quantity of the contents. When sold other than pre-packed, most food is required to be sold either by quantity or by number. Orders made under the Act also limit the quantities in which certain goods (known as prescribed ranges) may be pre-packed when offered for retail sale.

All weights and measures must be given in metric units, followed by the imperial equivalent if so desired. This is the result of amendments to the above Act which resulted in the Weights and Measures Act 1985 (Metrication) (Amendment) Order 1994 and the Units of Measurement Regulations 1994.

ABBREVIATIONS: The following abbreviations of units of weight are allowed:

Imperial		Metric	
pound	lb	kilogramme or kilogram	kg
ounce	oz	hectogramme or hectogram	hg
gallon	gal	gramme or gram	g
quart	qt	tonne	t
pint	pt	cubic metre	m <sup>3</sup>
fluid oz	fl oz	cubic centimetre	cm <sup>3</sup>
		litre	l
		decilitre	dl
		millilitre	ml
		centilitre	cl

Note: No 's' may be added to metric abbreviations

The Act also contains type size requirements for indications of both weight and volume, and provides for the 'average' system of quantity control for pre-packed goods, which is designed primarily for application at the point of production or importation and which is indicated next to the weight declaration on the pack by the symbol "e". It requires the packer or importer to ensure that the packages will pass an Inspector's reference test.

**DUAL MARKING** Where dual marking is used the indications must be of equal size and distinct but in close proximity with nothing inserted between them.

**MINIMUM HEIGHT** The minimum height of numbers used to express the numerical value of the weight or volume is as follows (regular fractions must be written with the numerator on top of the denominator and are treated as a single figure for this purpose).

Weight of contents	Capacity of contents	Volume of contents	Minimum size of numbers to be used in marking
Not exceeding 50 g	Not exceeding 5 cl	Not exceeding 5 cl	2 mm
Exceeding 50 g, not exceeding 200 g	Exceeding 5 cl, not exceeding 20 cl	Exceeding 5 cl, not exceeding 200 cl	3 mm
Exceeding 200 g, not exceeding 1 kg	Exceeding 20 cl, not exceeding 1 litre	Exceeding 200 cl, not exceeding 1000 cl	4 mm
Exceeding 1 kg	Exceeding 1 litre	Exceeding 1000 cl	6 mm

Any other characters used in the marking must be at least half the height given in the above table, of uniform size and color and in lower case letters.

Other miscellaneous points to note:

<b>WEIGHT INDICATIONS</b>	<p>Must be clear, legible, conspicuous, prominent and not hidden or obscured.</p> <p>Weight declaration is not required on goods weighing less than 5g or 5ml.</p> <p>One type space must be left between the numerical value of the quantity and the unit or abbreviation of the unit of measurement.</p>
<b>ABBREVIATIONS</b>	<p>Abbreviations should be written in lower case i.e. lb, oz; but litre is allowed to be L or l. No abbreviation of "net" or "gross" is allowed.</p>
<b>IMPERIAL</b>	<p>Where volume is indicated in imperial units as well as metric, the imperial must be in British Imperial fluid ounces, pints, quarts etc.</p> <p>The largest whole imperial units must be used e.g. 1lb 2oz must not be declared as 18oz. Markings up to 40 fluid ounces may be declared as fluid ounces, but above 40 fl oz the pint, quart or gallon must be used..</p>
<b>METRIC</b>	<p>Metric markings of one kilogramme, litre or 0.01 cubic metre or more must be expressed in terms of kilograms, litres or cubic metres and fractions of these units. Quantities less than these must be expressed in terms of grammes, centilitres and fraction of centilitre or millilitres, or fractions of a cubic centimeter respectively.</p> <p>Where decimal fractions are used the decimal marker must be a point or comma on the line.</p>

Legislation governing weights and measures comes under the jurisdiction of the UK's Department of Trade & Industry (Consumer Protection Division) contact details are provided in Appendix A. At a local level enforcement is by Trading Standards Officers.

### **Packaging Waste**

The UK is implementing the European Directive on Packaging and Packaging Waste (94/62EC) which came into force on December 31, 1994 through The Producer Responsibility Obligations (Packaging Waste) Regulations 1997. The UK must meet targets for recovery of packaging waste and recycling of packaging materials in packaging waste by June 30, 2001. UK importers are affected as part of the "packaging chain". Each stage of the "packaging chain" (this is from packaging raw materials manufacturers through to wholesale/retail sellers) is responsible for achieving a different percentage of the whole target e.g. UK importers importing packaged goods to sell are responsible for 53% of the targets on recovery and recycling.

There are also The Packaging (Essential Requirements) Regulations 1998. This legislation obliges packers/fillers of packaging (or importers or 'own brand' retailers) to ensure that the sum of the concentration levels of lead, cadmium, mercury and hexavalent chromium in the packaging or any packaging component should not exceed:

- C up to June 29, 2001 - 250 ppm (parts per million)
- C from June 30, 2001 - 100 ppm

The regulations also lay down essential requirements with regard to:

- C minimizing packaging volume and weight
- C design of packaging to permit reuse/recovery/minimize environmental impact
- C manufacture packaging to minimize the presence of hazardous substances released in recycling
- C compliance with packaging recoverable in the form of material recycling/energy recovery/composting or biodegradable packaging

### **Materials in Contact with Food**

The main UK legislation on this topic is The Materials and Articles in Contact with Food Regulations 1987. These regulations set out the general requirements that all food contact materials and articles should not transfer their constituents to food in quantities which could endanger human health. These regulations have been amended to include The Plastic Materials and Articles in Contact with Food Regulations 1998, which set an overall migration limit for all food plastics, and establishes "positive lists" of monomers and starting substances permitted for use in the manufacture of food contact plastics.

The UK's Food Standards Agency has just finished (July 15, 2000) a period of consultation on new regulations on plastics intended to come into contact with food. The regulations will implement European Commission Directive 1999/91/EC and must be in place by December 31, 2000. These new regulations will be known as The Plastic Materials and Articles in Contact with Food (Amendment) Regulations 2000 and extend the lists of substances permitted to be used in the manufacture of plastics intended to come into contact with food.

## **SECTION IV. FOOD ADDITIVE REGULATIONS**

UK food additive regulations implementing EU legislation and recommendations of the UK's Food Advisory Committee are drawn up by the Food Standards Agency's Additives and Novel Foods Division.

The main food additive regulations in the UK (which contain positive lists of permitted additives) are listed below. To ensure that your product complies it is necessary to consult this documentation, or alternatively contact the Food Standards Agency's Additives and Novel Foods Division, contact details listed in Appendix A.

<b>YEAR &amp; STATUTORY INSTRUMENT (SI) NO.</b>	<b>TITLE</b>
1992 No. 1978	<p><b>The Food Additives Labelling Regulations 1992</b> (amended by those regulations listed below)</p> <p>These list which food additives are authorized for use in foodstuffs intended for human consumption. These regulations define food additives and lay down labeling requirements at retail and wholesale level for additives sold as such.</p>
1992 No. 1971	<p><b>The Flavourings in Food Regulations 1992</b></p> <p>These regulations define categories of flavorings to be controlled and lay down limits for certain undesirable substances which are present in some flavorings and should be restricted.</p>
1995 No. 3123	<p><b>The Sweeteners in Food Regulations 1995</b></p> <p>These regulations define "sweetener"; list the permitted sweeteners and; by cross-reference, the purity criteria with which they must comply; set down conditions of use for sweeteners in food; control the sale of sweeteners direct to the public (table top sweeteners) and specify additional labeling requirements for these products.</p>
1995 No. 3124	<p><b>The Colours in Food Regulations 1995</b></p> <p>These regulations lay down specific criteria of purity concerning colors for use in foodstuffs. They define "colour" and list the permitted colors and, by cross-reference, the purity criteria with which they must comply; set down conditions of use for colors in food and control the sale of colors direct to the public.</p>
1995 No. 3187	<p><b>The Miscellaneous Food Additives Regulations 1995</b> (and its subsequent amendments in 1997 and 1999)</p> <p>These cover food additives other than colors and sweeteners, such as preservatives and emulsifiers. The regulations define each class of miscellaneous food additives and list those that are permitted; they also specify purity criteria and control their sale direct to the public.</p>

In addition to the specific regulations listed above, there are also general requirements for additives used as ingredients in foods set down in the Food Labelling Regulations 1996:

Additives used as ingredients in pre-packed foods to perform certain functions must be declared in the labeling by the appropriate category name of the function. This must be followed by their specific name or serial number. The categories are:

Acid	Flour treatment agent
Acidity regulator	Gelling agent
Anti-caking agent	Glazing agent
Anti-foaming agent	Humectant
Antioxidant	Modified starch
Bulking agent	Preservative
Colour	Propellant gas
Emulsifier	Raising agent
Emulsifying Salts	Stabiliser
Firming agent	Sweetener
Flavour enhancer	Thickener

Other points of note from the Food Labelling Regulations 1996 with regard to additives:

FLAVORINGS	Flavorings may be declared by either that name alone or by a more specific name.
ACIDS	If the specific name includes the word "acid", the category name may be omitted.
MODIFIED STARCHES	For these, neither the specific name nor the serial number need be indicated
FUNCTIONS	If an additive serves more than one function in a food the category name which represents its principal function must be used to describe it. Where no category name is available for the function performed by an additive in a food, the additive must be declared in the ingredients list by its specific name. A serial number cannot be used on its own.

## **SECTION V. PESTICIDE AND OTHER CONTAMINANTS**

### **Pesticides**

UK pesticide regulations, which implement EU legislation are drawn up by the UK's Pesticide Safety Directorate, an executive agency of the Ministry of Agriculture, Fisheries & Food (MAFF).

The major piece of UK legislation regarding pesticides is known as: The Pesticides (Maximum Residue Levels In Crops, Food and Feeding Stuffs) Regulations 1999. These set maximum residue levels (MRLs) for fruit and vegetables, cereals and animal products and came into force February 1, 2000. They consolidate and replace the 1994 Regulations and the five sets of amending regulations which were passed from 1994 to 1999. The new regulations also specify for the first time maximum residue levels for the pesticide Azoxystrobin.

If there is no EC/UK maximum residue limit for a certain pesticide, then any CODEX level in place is used as a guide. Application for registration of pesticides not listed in EC/UK regulations or CODEX must be made to the European Commission.

For simple queries the information section of the Pesticides Safety Directorate answers by Tel/Fax/E-mail.

Pesticides Safety Directorate  
Mallard House, 3 Peasholme Green  
York, YO1 7PX  
Tel: 011 44 1904 640 500  
Fax: 011 44 1904 455 222  
E-mail: [p.s.d.information@psd.maff.gsi.gov.uk](mailto:p.s.d.information@psd.maff.gsi.gov.uk)  
Internet: [www.pesticides.gov.uk](http://www.pesticides.gov.uk)

### **Other contaminants**

The UK has other regulations dealing with the chemical safety of food with regard to aflatoxins, arsenic, chemical contaminants, chloroform, extraction solvents, lead, mineral hydrocarbons, tetrachloroethylene, tryptophan, and veterinary medicine residues in animal and animal products. A list of these regulations is available as part of the Food Law handbook available at: [www.foodstandards.gov.uk/maff/archive/food/foodsft.htm](http://www.foodstandards.gov.uk/maff/archive/food/foodsft.htm)



## SECTION VI. OTHER REGULATIONS AND REQUIREMENTS

### Food That Has No Animal Content

Food that has no animal content is covered by The Imported Food Regulations 1997 (IFRs). The IFRs require that imported food from third countries such as the U.S. must not be unsound or unwholesome, e.g. over ripe fruit which does not meet the legal requirements.

Health certificates are generally not required for the import of food that has no animal content. Imports of nuts, nut products, dried figs and dried fig products must comply with the Aflatoxin in Nuts, Nut Products, Dried Figs and Dried Fig Products Regulations 1992 and import of pistachio nuts must only be through specified Border Inspection Posts. For more information contact the Association of Port Health Authorities (APHA) - details listed in Appendix A.

UK Import Licenses are required for the following fresh produce: fresh garlic, fresh sour cherries and bananas. Also for the following processed produce:

- C wine
- C preserved mushrooms in brine, vinegar or other preservative solutions
- C sultanas or other dried grapes
- C preserved cherries in brine or other preserved solutions
- C frozen cherries
- C prepared or preserved tomatoes (not by vinegar)
- C asparagus
- C peaches
- C orange juice

Import licenses are issued by the UK's Intervention Board, contact details can be found in Appendix A. Import licenses are not required for small quantities of the above products (100 - 500 kg dependent upon product type). Allow at least 10 days to apply for an import license, which will be valid for three months from their date of issue.

Food from a third country is subject to routine inspection. Port Health Officials (PHOs) have the power to examine, take samples and detain consignments of food if they suspect it is in breach of food legislation. PHOs liaise with Customs and Excise (C&E) officers and may request that a consignment, under C&E control, is presented for Port Health examination. Consignments of imported food may be selected for examination and sampling for a number of reasons:

- C type of food
- C potential hazard/contamination
- C country of origin
- C any particular current problems (including EU Commission decisions)
- C past history of product/country

The examination may be a documentary check to confirm that the product being imported is as stated on the manifest (or in any customs declaration) e.g. type, weight, quantity, etc. or samples of the food may be taken for chemical analysis or microbiological examination. Whilst these checks are being carried out the consignment may, if a detention notice is served, be detained for up to 6 working days. The consignment can only be released by a

written notice from the PHO. The importer is liable for the cost of storage and handling during this time.

If the consignment is thought to be unfit for human consumption it may be detained under the Food Safety Act for a further 21 days pending the results of any further testing. If the results are satisfactory the importer can speak to the PHO to discuss an alternative use for the consignment: voluntary surrender, reprocessing or, in some cases, re-exportation. Or the importer can appeal to a Justice of the Peace against the PHO's decision.

From time to time, when adverse conditions in a third country come to light, the EC will impose additional import conditions on particular items. This may mean that PHOs have to undertake additional checks and sampling of specific products from that country.

### **Food containing Animal Products**

The import of food products of animal origin are covered by the Products of Animal Origin (Import and Export) Regulations 1996. Imports may only enter the UK/EC through approved Border Inspection Posts where they will be checked to ensure that they comply with the relevant animal and public health regulations. They may only be imported from third countries and establishments which have been approved for this purpose. These imports must also meet the requirements of the Food Safety Act 1990. All animal products (except fresh red meat) imported into the UK must be imported under the terms of an import license issued under The Importation of Animal Products and Poultry Products Order 1980 (as amended). The import of fresh red meat does not require an import licence but must be accompanied by appropriate animal and public health certification in accordance with The Fresh Meat (Import Conditions) Regulations 1996. Charges will be made by the appropriate UK local authority for hygiene inspections and checks on consignments. A detailed guidance note on UK import requirements on food of animal origin can be obtained from: [www.maff.gov.uk/animalh/int-trde/prod-im/vet-chks.htm](http://www.maff.gov.uk/animalh/int-trde/prod-im/vet-chks.htm).

Imports of fresh meat and dairy products from the U.S. must come from establishments that have been approved to UK or EU standards. The U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) offers the Export Library System for computer users to provide country specifications for foreign regulations for meat and meat products. It holds current information on export requirements of foreign countries and approved plant lists at: [www.fsis.usda.gov/ofa/export/explib.htm](http://www.fsis.usda.gov/ofa/export/explib.htm). More information can be obtained from:

USDA/FSIS Technical Center  
Federal Building  
Room 904, 106 South 15<sup>th</sup> St.  
Omaha, Nebraska 68102  
Tel: (402) 221-7400  
Fax: (402) 221-7479

The Imports Section, International Trade Unit  
Ministry of Agriculture, Fisheries & Food (MAFF)  
Fifth Floor, Area 507  
1A Page Street, London SW1P 4PQ  
Tel: 011 44 20 7904 6501/6496  
Fax: 011 44 20 7904 6508

Imports of other products of animal origin for human consumption, e.g. snails, honey, reptiles, must in some cases come only from specified production plants. More information can be obtained from:

International Trade Unit  
MAFF  
Fourth Floor, 1A Page Street  
London SW1P 4PQ  
Tel: 011 44 20 7904 6405  
Fax: 011 44 20 7904 6384

Petfood products must originate from an USDA/Animal & Plant Health Inspection Service (APHIS ) certified establishment. Additional information on the approval of pet food plants for export to the UK may be obtained from:

USDA/APHIS Veterinary Services  
National Center for Import Export Products Program  
Riverdale, Maryland  
Tel: (301) 734-3578  
Fax: (301) 734-8226  
Website: [www.aphis.usda.gov/ncie/](http://www.aphis.usda.gov/ncie/)

Live shellfish and fishery products imported from the U.S. into the EU must have been produced to standards at least equivalent to those applicable to products produced within the EU. Each consignment of live shellfish or fishery products must be accompanied by a health certificate issued by the Food and Drug Administration (FDA). The National Marine Fisheries Service also issues health certificates under license from the FDA, background on this can be found at: <http://seafood.nmfs.noaa.gov> . More information can be obtained from:

Food & Drug Administration  
Office of Seafood Programs  
Tel: (202) 418-3150  
Fax: (202) 418 3196

Mr. Andy Carroll  
Food Standards Agency  
Room 501A, Skipton House  
80 London Road  
London SE1 6LH  
Tel: 011 44 20 7972 5075  
Fax: 011 44 20 7972 5142

All dairy product exports to the UK must be accompanied by both a public health and animal health certificate and must be sourced from plants approved to export to the European Union by the Food and Drug Administration (FDA). This is also the case for composite milk products which either utilize a dairy product as a characterizing effect or contain dairy ingredients as an essential part of the product. Where uncertainty exists as to whether or not a product requires dairy certification please contact MAFF at the address below. For further information on obtaining the appropriate export certification and plant approval status contact the USDA's Agricultural Marketing Service (AMS) [www.ams.usda.gov](http://www.ams.usda.gov) at the address below.

The Imports Section, International Trade Unit  
Ministry of Agriculture, Fisheries & Food (MAFF)  
Fifth Floor, Area 507  
1A Page Street, London SW1P 4PQ  
Tel: 011 44 20 7904 6501/6496  
Fax: 011 44 20 7904 6508

USDA/AMS/Dairy Programs/Dairy Grading Branch  
Room 2750 - South Building  
PO Box 96456  
Washington, DC 20090-6456  
Tel: (202) 720 3171  
Fax: (202) 720 2643

## SECTION VII. OTHER SPECIFIC STANDARDS

**Bread** - may only contain lecithins, mono- and di-glycerides of fatty acids, lactic acid esters of mono- and di-glycerides of fatty acids, citric acid esters of mono- and di-glycerides of fatty acids, citric acid esters of mono- and di-glycerides of fatty acids, stearyl tartrate, all GMP; sodium stearoyl-2-lactylate, calcium stearoyl-2-lactylate maximum 5,000 mg/g. Where a slimming claim is made the bread may contain alpha-cellulose and sodium carboxymethylcellulose, GMP.

**Cheese** - Only soft cheese, whey cheese, processed cheese, cheese spread may contain alginic acid, sodium alginate, calcium alginate, carrageenan, locust bean gum, tragacanth, acacia, guar gum, xanthan gum, all GMP. Processed cheese and cheese spread may contain sodium carboxymethylcellulose.

**Chocolate** - and chocolate products covered by the chocolate regulations may contain lecithins and/or ammonium phosphatides max 0.5 mg/kg phosphatides. (1.0 mg/kg phosphatides for chocolate/milk chocolate vermicelli and flakes and milk chocolate with 20" minimum milk solids), polyglycerol esters of polycondensed fatty acids of castor oil, maximum 0.5 mg/kg, sorbitan tristearate maximum 1.0 mg/kg, any combination of these emulsifiers and stabilizers (within prescribed limits), maximum 1.5 mg/kg.

**Fresh Fruits and Vegetables** - Must conform to EU/UK Quality Standards -information on quality standards is available from the Ministry of Agriculture Fisheries and Food Horticultural Division, contact details are located in Appendix A or look up [www.maff.gov.uk](http://www.maff.gov.uk) .

**Organic foods** - All organic foodstuffs must conform to EU/UK organic food regulations in addition to the food labeling legislation described above. Organic food legislation is administered by UKROFS (United Kingdom Register of Organic Food Standards) at the Ministry of Agriculture, Fisheries and Food. A report on the UK's Organic Food Market was produced by USDA London in March 2000, this can be found at [www.fas.usda.gov](http://www.fas.usda.gov) under Countries/Market Reports/Attache Reports.

**Meat products** - Compositional standards exist for some meat products; this is stated, where relevant, in the "additional comments" column. The meat content must be declared, generally in the form "minimum x % meat" near the list of ingredients. For some whole meat products any added water must be declared (this will be indicated where relevant). The lean meat content must be minimum 65% of the declared meat content, except for meat pies, sausage meat and meat pate, when it must be minimum 50% of the declared meat content.

**Other descriptions** - In the UK "corn syrup" should be called "glucose syrup", "corn syrup solids" should be "glucose syrup solids". "nonfat dry milk" should be "dried skimmed milk" or "skimmed milk powder". "Textured vegetable protein" and similar terms are not specific enough; the vegetable should be specified. The word "seasoning" is not a permitted generic term and the constituents should be correctly specified.

## SECTION VIII. COPYRIGHT AND/OR TRADE MARK LAWS

EU/UK copyright/trademark laws are implemented by The Patent Office, an Executive Agency of the Department of Trade and Industry. Exporters wanting to register trademarks/brand names are advised to contact:

The Patent Office  
Concept House, Cardiff Road  
Newport, Gwent NP9 1RH  
Tel: 011 44 1633 814000  
Fax 011 44 1633 814444  
Website: [www.patent.gov.uk](http://www.patent.gov.uk)

## SECTION IX IMPORT PROCEDURES

UK importers customarily handle all import procedures. The following information is provided to further the U.S. exporter's understanding of the procedures and time-frames which are involved in importing into the UK.

When an importing ship or aircraft arrives at the UK location where goods are to be unloaded, the goods must be 'presented' to Customs (Her Majesty's Customs & Excise or HMCE) by the person who brought them into the EC or the person who assumes responsibility for their onward carriage (this includes freight haulage companies, shipping and aircraft lines). Goods may be presented by:

- C using an approved computerized trade inventory system linked to customs; or
- C lodging Form C1600A at the designated Customs office

All goods must be presented within 3 hours of their arrival at the place of unloading. After presentation the goods must be covered by a summary declaration containing the information needed to identify the goods. The summary declaration should normally be made at the same customs office as presentation. The summary declaration must be made by:

- C the person who conveyed the goods into the EC; or
- C the person who assumes responsibility for their onward carriage
- C the shipping, airline or haulage company; or
- C the representative of any of the above

In the UK the prescribed form of summary declaration is Form C1600. Customs may also accept commercial documents or computer records, if they contain the necessary details. Acceptable commercial documents include:

- C bills of lading
- C air way-bills
- C container manifests
- C load lists
- C manifests
- C consignment records (on computerized inventory systems)

An import declaration is required for goods from third countries such as the U.S. When goods are imported into the UK it is the responsibility of the importer or his authorized agent to declare them to Customs. In most cases a Single Administrative Document (SAD) is used for this purpose. Further information on the SAD can be obtained from H. M. Customs & Excise web site: [www.hmce.gov.uk](http://www.hmce.gov.uk)

In addition to the above paperwork, U.S. products may require import licenses or health certificates, as outlined in Section VI.

All imported goods are liable to be examined by Customs. If goods are selected for examination, the opening, unpacking and repacking must normally be done by employees of the dock company or an agent of the importer. The examination of goods normally occurs at the place where they are being declared for importation.

Customs duties and other charges that are due must be paid, deferred or secured before the goods are cleared by Customs. It is advisable to show invoices with no freight costs incorporated, only the value of the imported goods, as import duty will be charged on the total amount presented for that shipment. Charges payable on imported goods may include:

- C import duties
- C 'additional duties' on flour and sugar
- C 'countervailing charges' on fruit and vegetables
- C 'variable charges' on processed goods
- C 'compensatory charges' on oils and fats
- C 'extra charges' on eggs, poultry or pig meat
- C 'sugar levies' on processed goods with sugar in them
- C Value Added Tax (VAT)
- C excise duty on alcoholic beverages

The charges payable are linked to the Commodity Code (similar to an HS code, but more detailed) for a particular product. U.S. exporters will need to find out what the Commodity Code for their product, and the associated import duty, is likely to be. This will be necessary in determining a pricing strategy for the product.

To obtain the Commodity Code for your product, contact H.M. Customs & Excise, Tariff Classification Helpline on Tel: 011 44 1702 366077. This service gives a verbal reading on the appropriate code and respective import duty for a particular product. It is also possible to obtain a written ruling on the product's Commodity Code known as Binding Tariff Information (BTI). This service is advisable for more complex food products, as it involves closer consideration of the product's composite ingredients and is legally binding. This is available directly from Customs & Excise on the telephone number given above.

The UK standard rate of Value Added Tax (VAT) is 17.5%. While UK foodservice outlets must charge the standard rate of VAT on everything they serve, retail food products, in general, do not have VAT on them. However, some exceptions which do incur VAT are:

- C Ice Cream and similar products, and mixes for using them
- C Confectionery
- C Alcoholic beverages
- C Other beverages, and preparations for making them
- C Potato chips (crisps), roasted or salted nuts and some other savory snack products
- C Products for home brewing and wine making

VAT can also be a value located somewhere between the Standard (S = 17.5%) and the Zero (Z = 0%) rates. For assistance when a case is less straight forward, contact: the VAT Helpline Tel: 011 44 20 7865 4419, Her Majesty's Customs & Excise web site: [www.hmce.gov.uk](http://www.hmce.gov.uk) or write using the address in Appendix A.

When giving quotations to a UK importer, note that "Free on Board" (FOB) implies FOB ship not backdoor of U.S. facility, i.e. include freight costs to U.S. exit port/airport. Other common terms for quotation include "Delivered UK port" and "Door to Door with or without duty paid".



## **APPENDIX A - UK Government Agencies & Affiliated Organizations**

Association of Port Health Authorities (APHA)  
Dutton House  
46 Church Street  
Runcorn, Cheshire WA7 1LL  
Tel: 011 44 1928 590440  
Fax: 011 44 1928 581596

Food Standards Agency (FSA)  
Room 306C, Ergon House  
PO Box 31037  
London SW1P 3WG  
Telephone: 011 44 20 7238 6550  
Fax: 011 44 20 7238 6330  
Email: [helpline@foodstandards.gsi.gov.uk](mailto:helpline@foodstandards.gsi.gov.uk)  
Website: [www.foodstandards.gov.uk](http://www.foodstandards.gov.uk)

Intervention Board  
Lancaster House  
Hampshire Court  
Newcastle upon Tyne  
NE4 7YH  
Tel: 011 44 191 226 5050  
Fax: 011 44 191 226 5212  
Website: [www.ib-uk.gov.uk](http://www.ib-uk.gov.uk)

Ministry of Agriculture, Fisheries and Food  
(MAFF)  
Ergon House, c/o Nobel House  
17 Smith Square, London SW1P 3HX  
Tel: 011 44 207 238 6000  
Fax: 011 44 207 238 6591  
E-mail: [helpline@inf.maff.gov.uk](mailto:helpline@inf.maff.gov.uk)  
Website: [www.maff.gov.uk](http://www.maff.gov.uk)

Department of Trade & Industry (dti)  
1 Victoria Street  
London, SW1H 0ET  
Tel: 011 44 20 7215 5000/0334  
Fax: 011 44 20 7215 0353  
E-mail: [dti.enquiries@dti.gsi.gov.uk](mailto:dti.enquiries@dti.gsi.gov.uk)  
Website: [www.dti.gov.uk](http://www.dti.gov.uk)  
**( for Weights & Measures Legislation)**

H.M. Customs and Excise (HMCE)  
Portcullis House  
27 Victoria Avenue  
Southend on Sea, Essex, SS2 6AL  
Tel: 011 44 1702 367 330  
Website: [www.hmce.gov.uk](http://www.hmce.gov.uk)  
**(For Tariff Code and Duty Rate Information)**

The Stationery Office  
PO Box 276  
London  
SW8 5DT  
Tel orders: 011 44 20 7242 6393  
Fax orders: 011 44 20 7242 6412  
Website orders can be placed on:  
[www.tso-online.co.uk](http://www.tso-online.co.uk)  
**(For Copies of UK Regulations, Orders or Acts)**

## **APPENDIX B - Local Contacts**

### **USDA London Office**

USDA/Foreign Agricultural Service  
American Embassy/Box 48  
24 Grosvenor Square  
London, W1A 1AE  
United Kingdom  
Tel: 011 44 20 7894 0040  
Fax: 011 44 20 7894 0031  
E-mail: [AgLondon@fas.usda.gov](mailto:AgLondon@fas.usda.gov)

FPO Address: American Embassy  
PSC 801, Box 48  
FPO AE 09498-4048

### **UK Trade Associations**

Fresh Produce Consortium  
266-270 Flower Market  
New Covent Garden  
London, SW8 5NB  
Tel: 011 44 20 7627 3391  
Fax: 011 44 20 7498 1191  
E-mail: [info@freshproduce.org.uk](mailto:info@freshproduce.org.uk)  
Website: [www.freshproduce.org.uk](http://www.freshproduce.org.uk)

British Frozen Food Federation  
3<sup>rd</sup> Floor, Springfield House  
Springfield Road  
Grantham, Lincs, NG31 7BG  
Tel: 011 44 1476 515 300  
Fax: 011 44 1476 515 309  
E-mail: [dg@bff.co.uk](mailto:dg@bff.co.uk)  
Website: [www.bfff.co.uk](http://www.bfff.co.uk)

British Health Food Manufacturer's Association  
63 Hampton Court Way  
Thames Ditton  
Surrey KT7 0LT  
Tel: 011 44 20 8398 4066  
Fax: 011 44 20 8398 5402  
E-mail: [pviner@hfma.co.uk](mailto:pviner@hfma.co.uk)  
(Director: Mrs. Penny Viner)  
Website: [www.hfma.co.uk](http://www.hfma.co.uk)

Food and Drink Federation  
6 Catherine Street  
London, WC2B 5JJ  
Tel: 011 44 20 7836 2460  
Fax: 011 44 20 7836 0580  
E-mail: [marion.owen@fdf.org.uk](mailto:marion.owen@fdf.org.uk)  
Website: [www.fdf.org.uk](http://www.fdf.org.uk)

## **APPENDIX C - Non Discriminatory Partial List of UK Commercial Public Analyst Companies Which Can Perform Product Formulation and Label Checks on Foodstuffs**

Central Scientific Laboratories  
445 New Cross Road  
London SE14 6TA  
Tel: 011 44 20 8694 9330  
Fax: 011 44 20 8691 9163  
Contact: Mr. John Salter  
E-mail: [johnsalter@eurofins.com](mailto:johnsalter@eurofins.com)  
Website: [www.eurofins.com](http://www.eurofins.com)

Euro Fine Foods 2000  
High Street  
Uffington  
Oxon SN7 7RP  
Tel: 011 44 1367 820771  
Fax: 011 44 1367 820871  
Contact: Kenneth Mitchell  
E-mail: [kennethmitchell@compuserve.com](mailto:kennethmitchell@compuserve.com)  
Website: [www.eurofinefoods2000.co.uk](http://www.eurofinefoods2000.co.uk)

Europe for Business  
41 Portland Avenue  
Hove, East Sussex BN3 5NF  
Tel: 011 44 1273 421485  
Fax: 011 44 1273 383033  
Contact: Ms. Lindsay Wittenberg  
E-mail: [lsw\\_europe@compuserve.com](mailto:lsw_europe@compuserve.com)  
Website: [www.europe-for-business.co.uk](http://www.europe-for-business.co.uk)

The Stevens Partnership  
River Meade  
17 Wheatfield Avenue  
Worcester WR5 3HA  
Tel: 01144 1905 353 417  
Fax: 011 44 1905 353 557  
Contact: Mr. Robert A. Stevens/Mrs Carol Stevens